

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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PRANANNA W. GOONEWARDENA,

Plaintiff,

-against-

NORTH SHORE LONG ISLAND JEWISH  
HEALTH SYSTEM, THE ZUCKER HILLSIDE  
HOSPITAL, LUDMILA P. DAHSEVSKY,  
Psychiatrist, TINA WALSH, Psychiatrist, PAULINA  
WALFISCH, Program Director, MAHENDRA AIREN,  
Psychiatrist, JOHN KANE, Chairman, IN SOON YANG,  
Walk-in-clinic nurse, MICHAEL LEVENE,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiff Prananna W. Goonewardena, who is pro se, moves for my recusal pursuant to 28 U.S.C. § 455(a). (Docket Entry # 85.)

Section 455 (a) requires federal judges to disqualify themselves in “any proceeding in which [their] impartiality might reasonably be questioned;” and “the decision whether a judge’s impartiality can ‘reasonably be questioned’ is to be made in light of the facts as they existed, and not as they were surmised or reported.” Cheney v. United States District Court, 541 U.S. 913 (2004) (quoting Microsoft Corp. v. United States, 530 U.S. 1301, 1302 (2000)).

Goonewardena’s motion cannot even be fairly described as “reporting” or “surmising” facts bearing on the court’s impartiality. The portions of the motion that actually address the court’s conduct, are nothing more than bald accusations, (see, e.g., Mot. at 1 (“Your honor lacks patience and integrity to make impartial rulings.”); id. at 11 (“Your Honor has made false statements. **It is a SIN to LIE.**” (emphasis in the original); id. (“**Your Honor lack** [sic]

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**judgment to make impartial ruling.**” (emphasis in the original)); id. (“Your Honor has repeatedly violated my constitutional rights.”)), or descriptions of previous orders, (see id. at 4 (“You did remand the case [sic] causing extensive damage.”); id. at 7 (“[Y]ou said many of these letters, motions, and requests appear to be frivolous.”)).

As Goonewardena has not alleged—let alone shown to exist—any facts that would call the court’s impartiality into question, his motion is DENIED.

SO ORDERED.

Dated: Brooklyn, New York  
January 4, 2012

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS  
United States District Judge